

Cemetery Guide

Eastview Cemetery



Southside Cemetery



Central Cemetery



City of Newton
Cemetery Rules and Regulations
Cemetery Fees
Cemetery Ordinances



NEWTON CEMETERIES

OFFICE **HOURS OF OPERATION**

Monday – Friday: 8:30 a.m. - 4:30 p.m.

Telephone Numbers

Cemetery Office/Recreation Office: (828) 695-4317
Fax Number: (828) 465-7475

After Hour Contacts

- **Cemetery Supervisor, Eddie Johnson**
Work Cell Phone #: (828) 217-4448
- **Building & Grounds Superintendent, Bradley Martin**
Work Cell Phone #: (828) 217-4418

Weekend burials must be scheduled by 3:00 p.m. on Friday.
(Saturday and Sunday burials)

Arrangements for Monday funerals must be made no later than noon on Saturday.

CEMETERY FEES & CHARGES

1. LOT SALES PRICES (PER SPACE)

	<u>RESIDENT</u>	<u>NON-RESIDENT</u>
• Eastview Cemetery *		
• Central Cemetery	\$ 600.00	\$1,200.00
• South Side Cemetery ***	\$1,500.00	\$3,000.00

2. DOUBLE DEPTH BURIALS

	<u>RESIDENT</u>	<u>NON-RESIDENT</u>
• Eastview Cemetery *		
• Central Cemetery	\$ 900.00	\$1,800.00
• South Side Cemetery ***	\$2,100.00	\$4,200.00

3. DEED TRANSFER FEE: \$10.00

**No lots are available at this time.*

*(A list of “**Lot’s For Sale**” by current owners is available in the Community Appearance Office).*

GENERAL GRAVE LOT INFORMATION

Measurements for:

Single Lot

Eastview/Central

5 feet x 10 feet

Southside

4 feet x 10 feet

Measurements for:

Side by Side Lot

Eastview/Central

10 feet x 10 feet

Southside

8 feet x 10 feet

Measurements for:

Family Lot

Eastview Only

20 feet x 20 feet

Single Depth Burial:

Depth: 5 feet x 8 inches

Double Depth Burial:

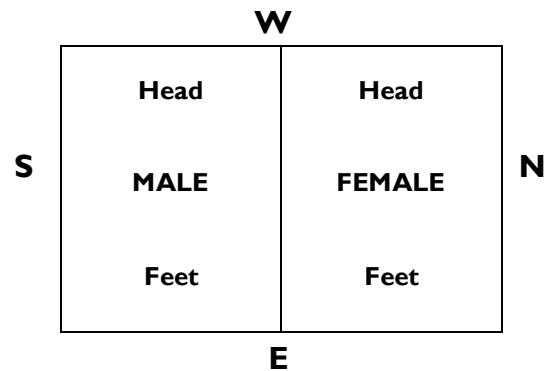
Depth: 12 feet

Husband/Wife Burial (Not Required)

Husband buried on the right side of the Wife
Facing East.

Wife buried on the left side of the Husband
Facing East.

Husband/Wife Burial:



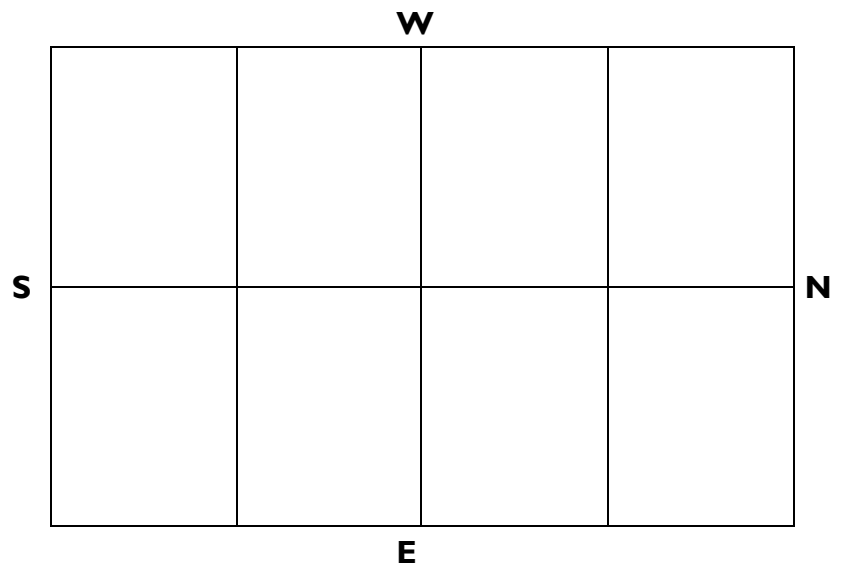
Eastview

Family Plot:

Eight Lots typically make up a Family Plot
(*Note Layout) (Divisions B, C, & D)

Note: Two burials are allowed per
One Lot (Double Depth) or One burial
plus One cremain burial per One Lot

Family Plot Layout:



CHAPTER 30

OF CITY CODE

CEMETERIES

Sec. 30 - 1. Interments not to be made except in cemetery.

No person (s) shall bury or inter a human corpse except in a cemetery.

Sec. 30 - 2. Permit for burial, planting shrub, etc., required.

No person (s) shall bury any corpse; dig a grave; plant any tree, shrub, bush, vine or plant; erect or place any fence, curb, stone, monument or other improvement or obstruction of any kind; or remove any of the aforesaid articles; or open any grave or make any changes of any kind in any City-owned cemetery, without first having the consent and permission of the **Cemetery Supervisor**.

Any person (s) who shall bury a corpse in city-owned cemetery without first having met all requirements and obtained all permits required by the laws of this state and the provisions of this Code and other city ordinances shall be subject to the fines and penalties established in section 1-6 for each offense.

Sec. 30 - 3. Animals; riding, driving or walking across plots.

No person shall hitch, lead or permit any animal to be in any cemetery except in cases of necessity, and no person shall ride, drive or walk on or across any plots or graves laid off or used for burial purposes and places except in case of necessity.

Sec. 30 - 4. Speed limit.

No person shall drive, ride or lead any horse or vehicle in any city-owned cemetery faster than a walk or over five miles and hour.

Sec. 30 - 5. Entering or leaving cemetery.

No person shall enter or depart from any city-owned cemetery except at the gates or other proper places of ingress or egress provided therefor by the city.

Sec. 30 - 6. Injuring or removing fixtures.

No person shall remove, injure, deface, mutilate or destroy any fence, railing, curb, stone, monument, structure, walk, driveway, tree, shrub, plant, flower or thing whatsoever, enclosing or within any city-owned cemetery, without first obtaining a permit from the cemetery supervisor.

Sec. 30 - 7. Sale of merchandise prohibited.

No person shall sell or offer for sale any article of merchandise or any fruit, drink or beverage or any other thing of value within any city-owned cemetery.

Sec. 30 - 8. Playing in cemetery prohibited.

No person shall use any part of a city-owned cemetery as a playground.

Sec. 30 - 9. Throwing stones or other missiles; shooting firearms.

No person (s) shall for amusement carelessly or recklessly throw any stone or other missile or shoot any firearms within or near any city-owned cemetery, with the exception of military funerals or special occasions with city approval.

Sec. 30 - 10. Grave openings.

All grave openings shall be conducted and made by a licensed funeral director only after obtaining a proper grave opening permit from the city.

Sec. 30 - 11. Vault or grave liner required.

All bodies interred in the cemeteries of the city shall be interred in a vault or grave liner.

Sec. 30 - 12. Recording of sale or transfer of lots.

No sale or transfer of any cemetery lot shall be recognized by the city unless such transfer has been duly recorded on the record of the city.

Sec. 30 - 13. Recognition as owner of lot.

No person will be recognized by the city as owner or part owner of any lot unless his or her name appears on the records of the city as owner.

Sec. 30 - 14. Issuance of deeds.

(a) Upon selling a cemetery lot or burial space, the city shall issue in the name of the purchaser a cemetery deed showing the lot number and the section or map number of the lot or burial space referring to a map or plat thereof. A record of the sale, the lot purchased and the name of the purchaser shall be kept in a permanent record book by the city. No lot owner may transfer his lot except in accordance with the most current rules and regulations for day-to-day cemetery operations.

(b) No deed for a cemetery lot or burial space shall be issued until the full purchase price has been paid.

Sec. 30 - 15. Rules and regulations generally.

The City Council reserves the right to change the following rules and regulations at any time:

1. The city reserves the right to refuse to sell or transfer any lot or portion of lot to any person to whom it does not desire to sell or transfer a lot without assigning any reason therefor.
2. All employees of the city are expressly prohibited from varying any prices established or terms and conditions thereof changing in any way these rules and regulations.
3. Employees of the city shall have the right of ingress and egress across any lot in the cemetery.
4. The city shall not be responsible for any theft, loss or damage done to any memorial, monument, plant, vase or any property within any city-owned cemetery.
5. The city reserves the right to determine, establish and change the grade of each lot and shall not be liable therefor.
6. No owner shall make any change or alteration in or on any lot without written consent of the city.
7. No stone or cement product of any kind is to be permitted above the ground, except in Divisions A, B, C, D and G of Eastview Cemetery and Divisions A, B, C of Central Cemetery, and the cemetery supervisor is authorized and directed to remove any stone or cemetery product in violation of this section.
8. No coping, curbing, fencing, etc., shall be allowed around any lot, and no walks except those established by the city shall be permitted,
9. Any toy, trinket, vase, jar, tin can or anything which is determined unsightly or undesirable by the city shall be moved without notification.

10. No picnicking is allowed in any city-owned cemetery.
11. No person except city employees or monument companies holding a monument work permit or other authorized personnel shall do any work in any city-owned cemetery.
12. Only one (1) interment will be allowed in a single grave; except, that, upon request, the **cemetery supervisor** may grant a permit to inter a second corpse in the same grave provided the first interment shall have been, or is, of such depth so as to accommodate more than one (1) casket and vault and provide a depth of not less than two (2) feet between the top of the second casket and vault and the top of the ground.
13. Only flat monuments shall be allowed in Divisions E and F of Eastview Cemetery or any other area designated by the city.
14. All monuments must be approved as to the setting by the cemetery supervisor.
15. No monument shall be larger in width than the lot; except that two (2) contiguous lots in common ownership may be allowed the use of one monument.
16. All live flowers, wreaths, etc., must be removed within two weeks or the city may remove them without notice. Artificial flowers may be removed at the discretion of the cemetery supervisor.
17. Interment of two (2) cremains will be allowed in a single lot.
18. Lot ownership shall not be transferred from one cemetery to another.
19. In Southside Cemetery, all vases shall be permanently attached to the marker or monument. Flower placement shall be limited to permanent vases only.
20. No interment of any body or cremains of any creature other than that of a human being shall be permitted in any city-owned cemetery.
21. The consumption and/or possession of illegal drugs and/or alcoholic beverages is prohibited in all city-owned cemeteries.
22. Cemeteries are open from sunrise to sunset.

Sec. 30 – 16. Rules and regulations for day-to-day operations.

The city manager-or-designee is hereby authorized to develop and amend from time to time rules and regulations for the day-to-day operations of city-owned cemeteries.

Experience has proven the adoption and enforcement of rules to be necessary to secure a proper burial, to protect the interest of lot owners, and to preserve the beauty of a Cemetery. All persons are therefore urgently and respectfully requested to conform to these rules and regulations and to assist the management in their enforcement.

CODE REFERENCE GUIDE

ACCESS AND USE OF CEMETERIES

City owned cemeteries have been established for the purpose of interment of human remains and to provide an opportunity for people to memorialize the dead. Use of any City owned cemetery shall be for the above stated purposes only. No portion of a cemetery shall be used for any purpose other than for those related to funerals or interment site visits and maintenance. Internal access streets shall not be used to park vehicles for activities that are unrelated to the above stated purposes of a cemetery or to provide access to adjoining properties and neither shall any portion of a cemetery be used for access to an adjoining property.

PURCHASING OF LOTS

Persons desiring to purchase a lot in a city cemetery shall do so at the Cemetery Office located in the Recreation Center. The staff will have available with suitable maps showing size and price of lots, and other information as may be required and will assist anyone desiring to make lot purchases.

1. The City Council shall fix the prices of burial lots and no person shall take possession of such lot, nor make any encroachments thereon until the price of such lot has been paid in full. In addition, no grave shall be dug or interment made on any lot until it is paid for in full.
2. ***No permit for burial shall be issued unless all applicable fees have been paid in full to the City.***
3. No interment/grave opening shall be allowed without a grave opening permit. The following information must be furnished for the permit.
 - a. Name of deceased
 - b. Funeral Home
 - c. Date and Time of Funeral
 - d. Open for Vault, Box, Cremation
 - e. Division B C D E F G, Eastview, Central, Southside Cemetery
 - f. Section
 - g. Lot No.
 - h. Date of Interment
 - i. Caretaker
 - j. Grave digger
4. No lot owner may transfer his or her lot without having first offered same to the City at the most current price as established in the schedule of fees and charges adopted by the City Council. There shall be no more than one (1) unrelated grantee on any cemetery deed. No lot transfer will be recognized by the City unless the provisions of this paragraph have been complied with or the transfer is otherwise exempt as set forth in the Rules and Regulations of the City governing the operation and maintenance of cemeteries.

Exemptions:

- a. All lineal ascendants and descendants of any owner as shown on the cemetery deed.
- b. Any transfer by will or intestacy.
- c. Any transfer specifically exempt by the action of the City Council.
5. No transfer of property in any cemetery shall be legally recognized unless a record of said transfer exists in the records of the Cemetery Office.
6. Payments for lots shall be by check or cash **only** and payable to The City of Newton.
7. Transfers are allowed as long as lots are in the same cemetery deed and recorded in the Cemetery Office.
8. The deed for a cemetery lot conveys legal ownership to said lot.
9. The payment of all fees and charges shall be made at the Community Appearance Office in the Recreation Center.
10. The schedule of fees and charges as established by the City Council may be changed from time to time without advance notice to conform with current economic conditions.
11. The City Council shall fix prices for grave sales/transfer along with any other charges for proper maintenance of City cemeteries, as it deems fit and said prices shall be established in the schedule of fees and charges.
12. *The status of a resident or non-resident shall be determined by the City of Newton and shall be based upon legal residence.*

INTERMENTS

1. In all cemeteries, double depth burials may be permitted provided that such option is chosen prior to the first interment being made and that the first interment is placed at a depth of at least 12 feet below the burial lot grade.
2. *In all cemeteries, interment of not more than two cremains will be allowed in a single grave, and interment of a single cremain and one body burial is allowed per grave.*
3. Concrete or steel vaults or grave liners shall be required for all interments in City cemeteries.
4. Lot conformation prior to interment, by a family member and/or by a authorized representative will be needed for unmarked graves before grave will be open.
5. No interments of a body or cremains in any cemetery of the City shall be made without a permit from the appropriate authority when such body or cremains is brought in from out of state.

6. Burial lots in the Cemeteries shall be used for no other purpose than a place for the interment of the human dead by state law.
7. No interments shall be made until a grave opening permit is completed, grave is located and marked by cemetery staff.
8. The Cemetery Office shall upon request, furnish to persons who desire to purchase burial lots, information relative to the cost of same and the conditions upon which interments may be made.
9. *All burial rights in cemetery lots purchased from the City occupy the same position as real estate at the death of the owner. Only such persons whose names appear on the cemetery records of the City will be recognized as owners or part owners of lots. In case of the death of a lot owner when the cemetery lot is disposed of by Will, a certified copy of the Will must be delivered to the Cemetery Office before the City will recognize the change in ownership. If the deceased lot owner left no Will, a certified copy of the proof of heirship must be presented. Lot owners in making their Wills should include the cemetery lot and will it to one person.*
10. The title to a cemetery lot invests in the owner the right to use such lot for burial purposes only, for themselves, their heirs, or for any such persons as they may choose to admit, in accordance with the cemetery rules and regulations.
11. Funeral homes which are responsible for conducting funeral services are expected to attend every interment, and to see that the rules, regulations of the City with regard to cemeteries are observed.
12. No person, firm, or corporation shall open any grave unless such entity is approved by the Cemetery Supervisor.

MONUMENTS AND MARKERS

1. *Grave markers furnished by funeral homes may be used for the first year. Lot owners are required to install an adequate marker or monument within one year of interment.*
2. *The setting of monuments, stones, and markers and the transportation of all tools, materials, etc. within all cemetery grounds shall be subject to the supervision and control of the cemetery supervisor, and may only be installed Monday-Friday between 8:00 a.m. to 4:00 p.m. exclusive of City observed holidays.*
3. Cemetery “Upright/Flat” Monument/Markers requirements: (refer to maps).
 - Eastview Cemetery**
 - Divisions A, B, C, D, G – Upright or Flat Monuments/Markers
 - Divisions E and F – Flat Monuments/Markers Only
 - Central Cemetery**
 - Upright or Flat Monuments/Markers are permitted throughout Cemetery

Southside Cemetery

- Upright and Flat Monuments/Markers are permitted in designated areas (Upright – yellow/Flat – blue).
- 4. In situations where a family monument is erected in addition to individual markers, the Family markers shall be placed at an area to be designated by the Cemetery Supervisor.
- 5. All monuments and markers must be set upon suitable foundations, and all excavations must be made by or under the supervision of the cemetery supervisor.
- 6. *At Southside Cemetery all vases must be permanently attached to the markers or monuments as of May 2005. This rule also applies at Eastview and Central Cemeteries.*
- 7. No monument shall be greater in width than the lot; except that two contiguous lots in common ownership may be allowed the use of one monument.
- 8. *Markers and monuments at the Southside Cemetery are **required to have a 6” concrete border.***
- 9. *Maintenance to monuments shall be the responsibility of the owner (s).*

REMOVALS **DISINTERMENTS**

1. A complete record shall be maintained in the Cemetery Office of all removals from city cemeteries. The record shall give the name of the cemetery, section, lot number, size and location of graves on the lot, name of the deceased and date of such action.
2. Removal of bodies from graves in a Cemetery will only be made by the City in accordance with the requirements of the statutes of the state and the rules of the State Board of Health.
3. A grave opening permit shall be required for removal of a body or cremains. No grave within any cemetery of the City shall be opened or disturbed nor shall any body or cremains be removed from the lot without a permit from the County Health Office and/or court order and the consent of the lot owner.
4. All removals shall be made by the City under the supervision of a licensed embalmer and the Cemetery Supervisor.
5. Graves will not be reopened for inspection except for official investigation under court order.

TREES, SHRUBS, FLOWERS and TRINKETS

1. No person shall install landscaping within City Cemeteries, including planting of trees, shrubs, and flowers.
2. No person shall remove, break, pluck or destroy any bush, flower, or plant, which has been **lawfully** placed in any City Cemetery.
3. No person shall leave or cause to be left, any stone, dirt or other refuse matter within any Cemetery except in such place designated by Cemetery Supervisor.
4. The City of Newton will seed and fertilize new gravesites. We do not seed during extreme hot, cold or dry weather conditions.
5. Flowers must be displayed in permanent vases attached to markers or monuments. Saddles may also be used to display flowers on upright markers or monuments.
6. Any toy, trinket, stuffed animal, figurine, vase, jar, tin can or anything which is determined unsightly or undesirable by the city shall be moved without notification.
7. All landscaping within city cemeteries, including planting of trees, shrubs and flowers shall be installed only by the city cemetery personnel.

CITY OF NEWTON CEMETERIES **HOLIDAY CLEAN-UP**

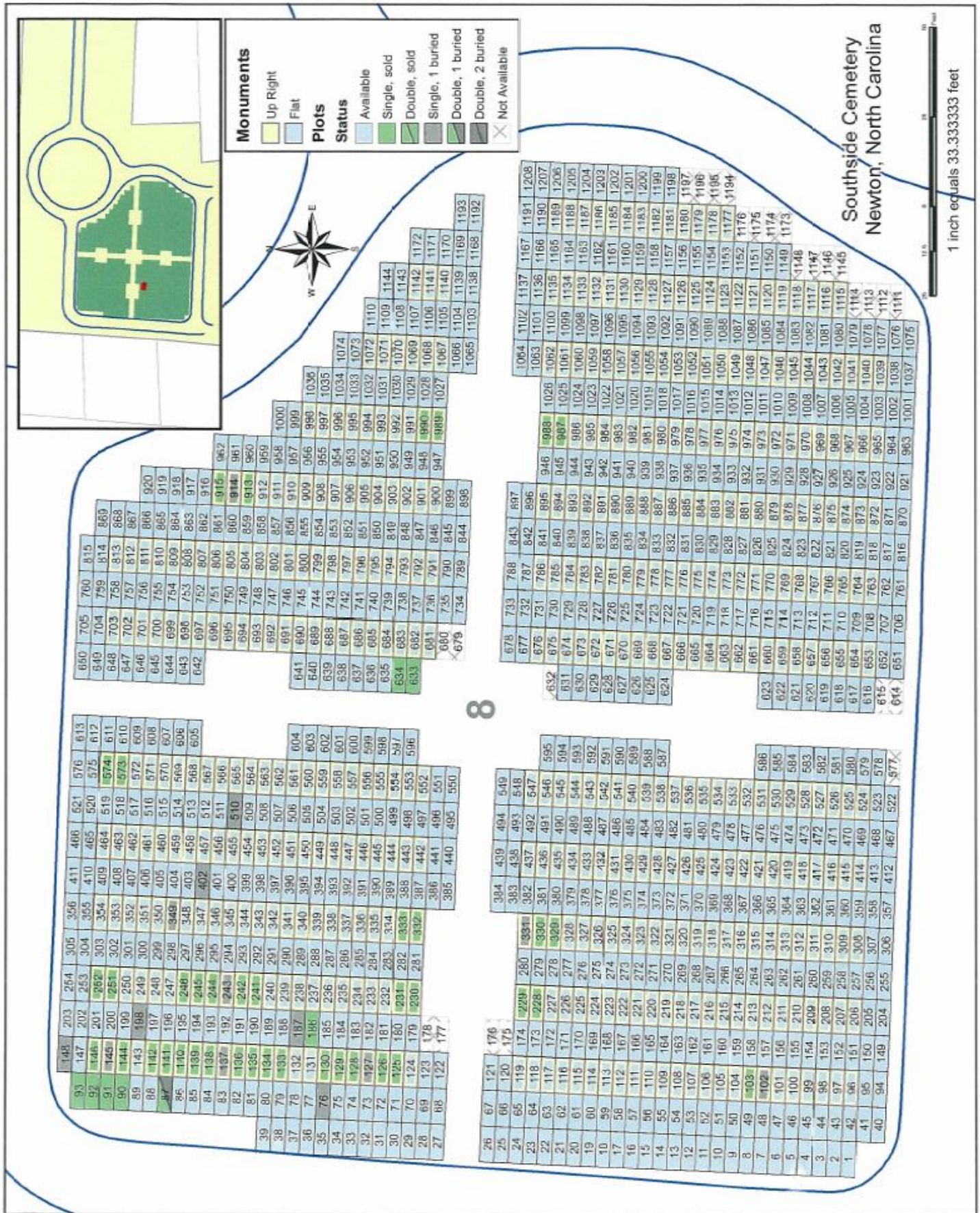
The Cemetery/City's Community Appearance staff encourages all citizens to help with the cemetery clean-up project for the holidays two weeks before Thanksgiving and two weeks before Easter. The staff requests that all weathered or holiday flower arrangements be removed from all gravesites. In order for the mowing and trimming to be done quickly and efficiently, all existing flower arrangements should be appropriately placed to keep from being damaged by mowing equipment. The City extends its appreciation for your cooperation and apologizes for any inconvenience this and other clean-up projects might cause. If you have any questions concerning the clean-up contact the Cemetery/Community Appearance Office at (828) 695-4317.

CEMETERY DEFINITIONS

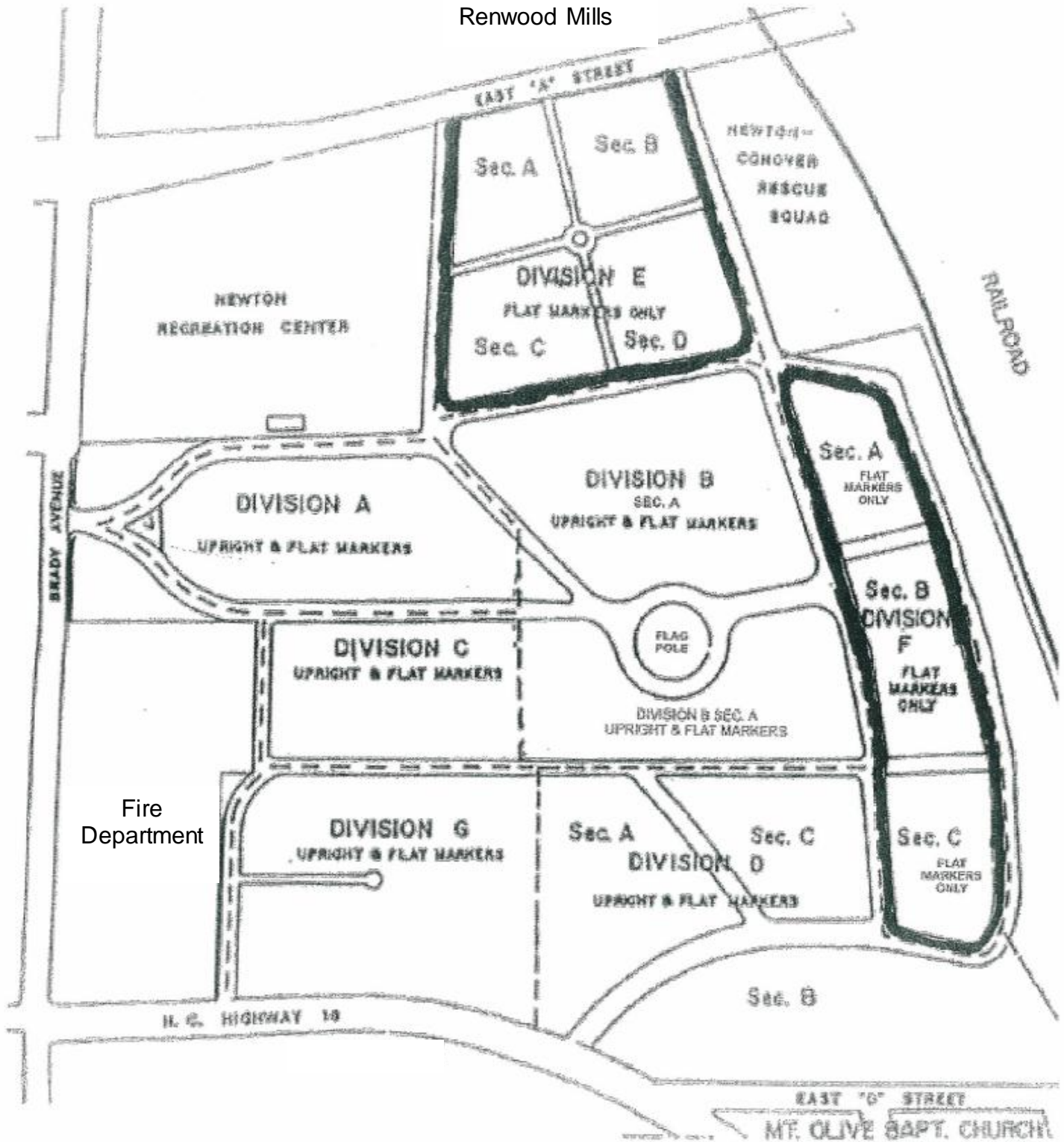
1. **CASKET**: the container within which the body or remains of a deceased person are placed for burial.
2. **CEMETERY SUPERVISOR**: a city employee who has responsibility for the maintenance and operations.
3. **COLUMBARIUM**: a building above ground containing niches that hold cremains.
4. **CREMAINS**: the cremated remains of a deceased person, typically placed in a container called an urn.

CEMETERY DEFINITIONS CONTINUED

5. **DEED**: or title. Shows ownership.
6. **DOUBLE DEPTH BURIAL**: the burial of two caskets in one grave. Typically the first casket is placed at a depth of twelve feet and the second casket is placed on top of the first casket at standard depth.
7. **GRAVE**: a physical location in the ground where the bodies or remains of a deceased person are placed. Also are referred to as lots.
8. **HUSBAND/WIFE BURIAL**: Husband buried on the right side of the Wife facing East. Wife buried on the left side of the Husband facing East.
9. **MARKER**: or headstone, typically made of granite, which is installed flush with the ground and within which is imbedded a bronze plaque containing information about the person whose body or remains are contained in a specific grave.
10. **MONUMENT**: or headstone, typically made of granite, which extends above the surface of the ground and which has etched or engraved upon its surfaces, information about the person whose body or remains are contained in a specific grave.
11. **PLOT**: an area of a cemetery where several graves are grouped together for a specific purpose. Typically plots are for families who desire to be buried together.
12. **VAULT**: the container into which a casket is placed at the time of burial, the purpose of which is to protect the casket and to keep the grave surface from sinking in. Vaults may be constructed of concrete or steel.
13. **TOYS/TRINKETS**: any figurines, statues, stuffed animals, tin cans, glass vases/jars and other breakable objects.



Renwood Mills



HIGHLIGHTED AREAS FLAT MARKERS ONLY

EASTVIEW CEMETERY

Central Cemetery

